

**UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
AGENCY APPEAL PRE-ARGUMENT STATEMENT (FORM C-A)**

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APPLICATION FOR ENFORCEMENT

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PETITION FOR REVIEW

1. SEE NOTICE ON REVERSE.

2. PLEASE TYPE OR PRINT.

3. STAPLE ALL ADDITIONAL PAGES.

CAPTION: Time Warner Cable of New York v. National Labor Relations Board		AGENCY NAME: Nat'l Labor Rels. Bd.		AGENCY NO.: 02-CA-126860	
		DATE THE ORDER UPON WHICH REVIEW OR ENFORCEMENT IS SOUGHT WAS ENTERED BELOW: June 22, 2018		ALIEN NO : (Immigration Only)	
		DATE THE PETITION OR APPLICATION WAS FILED: July 24, 2018		Is this a cross-petition for review / cross-application for enforcement? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Contact Information for Petitioner(s) Attorney:	Counsel's Name: Address: Telephone No.: Fax No.: E-mail:				
	Kenneth A. Margolis, c/o Kauff McGuire & Margolis LLP 950 Third Avenue, Fourteenth Floor, New York, NY 10022 Tel. 212-644-1010; Fax. 212-909-3505; margolis@kmm.com				
Contact Information for Respondent(s) Attorney:	Counsel's Name: Address: Telephone No.: Fax No.: E-mail:				
	Linda Dreeben, c/o N.L.R.B., 1015 Half St., SE, Ste. 4163, Washington, D.C. 20570 Tel. 202-273-2960, Fax. 202-273-0191, appellatecourt@nrlrb.gov				
JURISDICTION OF THE COURT OF APPEALS (provide U.S.C. title and section): 29 U.S.C. § 160(f)	APPROX. NUMBER OF PAGES IN THE RECORD: 400	APPROX. NUMBER OF EXHIBITS IN THE RECORD: 90	Has this matter been before this Circuit previously? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide the following: Case Name: 2d Cir. Docket No.: Reporter Citation: (i.e., F.3d or Fed. App.)		
ADDENDUM "A": COUNSEL MUST ATTACH TO THIS FORM: (1) A BRIEF, BUT NOT PERFUNCTORY, DESCRIPTION OF THE NATURE OF THE ACTION; (2) THE RESULT BELOW; AND (3) A COPY OF ALL RELEVANT OPINIONS/ORDERS FORMING THE BASIS FOR THIS PETITION FOR REVIEW OR APPLICATION FOR ENFORCEMENT.					
ADDENDUM "B": COUNSEL MUST ATTACH TO THIS FORM: (1) THE RELIEF REQUESTED; (2) A LIST OF THE PROPOSED ISSUES; AND (3) THE APPLICABLE APPELLATE STANDARD OF REVIEW FOR EACH PROPOSED ISSUE.					
PART A: STANDING AND VENUE					
<u>STANDING</u> PETITIONER / APPLICANT IS: <input type="checkbox"/> AGENCY <input checked="" type="checkbox"/> OTHER PARTY <input type="checkbox"/> NON-PARTY (SPECIFY STANDING):			<u>VENUE</u> COUNSEL MUST PROVIDE IN THE SPACE BELOW THE FACTS OR CIRCUMSTANCES UPON WHICH VENUE IS BASED: New York is site of the underlying events and proceeding appealed from; Petitioner and Respondent have offices and facilities in New York, and transact significant business there.		

IMPORTANT. COMPLETE AND SIGN REVERSE SIDE OF THIS FORM.

PART B: NATURE OF ORDER UPON WHICH REVIEW OR ENFORCEMENT IS SOUGHT
(Check as many as apply)

TYPE OF CASE:

<input type="checkbox"/>	ADMINISTRATIVE REGULATION/ RULEMAKING	<input type="checkbox"/>	IMMIGRATION-includes denial of an asylum claim
<input type="checkbox"/>	BENEFITS REVIEW	<input type="checkbox"/>	IMMIGRATION-does NOT include denial of an asylum claim
<input checked="" type="checkbox"/>	UNFAIR LABOR	<input type="checkbox"/>	TARIFFS
<input type="checkbox"/>	HEALTH & SAFETY	<input type="checkbox"/>	OTHER:
<input type="checkbox"/>	COMMERCE		(SPECIFY)
<input type="checkbox"/>	ENERGY		

1. Is any matter relative to this petition or application still pending below? ☐ Yes, specify: _____ ☒ No

2. To your knowledge, is there any case presently pending or about to be brought before this Court or another court or administrative agency which:

(A) Arises from substantially the same case or controversy as this petition or application ? ☐ Yes ☒ No

(B) Involves an issue that is substantially similar or related to an issue in this petition or application ? ☐ Yes ☒ No

If yes, state whether ☐ "A," or ☐ "B," or ☐ both are applicable, and provide in the spaces below the following information on the *other* action(s):

Case Name:

Docket No.

Citation:

Court or Agency:

Name of Petitioner or Applicant:

Date:

8-9-18

Signature of Counsel of Record:



NOTICE TO COUNSEL

Once you have filed your Petition for Review or Application for Enforcement, you have only 14 days in which to complete the following important steps:

1. Complete this Agency Appeal Pre-Argument Statement (Form C-A); serve it upon your adversary, and file it with the Clerk of the Second Circuit in accordance with LR 25.1.
2. Pay the \$500 docketing fee to the Clerk of the Second Circuit, unless you are authorized to prosecute the appeal without payment.

PLEASE NOTE: IF YOU DO NOT COMPLY WITH THESE REQUIREMENTS WITHIN 14 CALENDAR DAYS, YOUR PETITION FOR REVIEW OR APPLICATION FOR ENFORCEMENT WILL BE DISMISSED. SEE LOCAL RULE 12.1.